

## **AMENDMENT TO THE DRAWINGS**

Fig. 3 has been amended. The attached sheet of formal drawing replaces the original sheet including Fig. 3.

## **REMARKS/ARGUMENTS**

Applicant responds herein to the Office Action dated June 29, 2006.

Responsive to paragraph 1 of the Office Action, applicant supplies herewith, copies of patent abstracts of the indicated documents and asks that they be considered and that such consideration be made of record.

Responsive to the various objections to the drawings, as set forth in paragraphs 2-5 of the Office Action, and further responsive to the objection to the specification and to the claims, as set forth in paragraphs 6 and 7 of the Office Action, and still further responsive to the rejection of certain claims under the second paragraph of 35 U.S.C. §112, the applicant respectfully submits that the amendments to the specification, drawings and to the claims herein, are fully responsive thereto. Withdrawal of the aforementioned objections and rejections is therefore respectfully solicited.

In addition, and responsive to the claim objections at page 4 of the Office Action, specifically as it relates to paragraph 7. b., contrary to the Office Action, second shelves should not be deemed to refer to the “second shelf line”. The displacing element displaces at least one of the first and second shelves relative to the other, as recited in amended claim 1. Thus, the target of displacement in claim 1 is not “a line”, but “a shelf”. Therefore, the term “second shelf” in claims 2 and 5 refer to, and identifies, the “shelf”, and does not identify the “second shelf line”.

Substantively, claim 1 is being rejected on grounds of anticipation over Perlov (6,283,692). Claims 2, 3 and 6 are rejected on grounds of obviousness over Perlov, in view of Mages (6,736,582). Lastly, claims 4 and 5 are rejected on grounds of obviousness over Perlov, in view of Mages and in further view of Yamada (US2002/0141850). Reconsideration is requested in view of the amendments to the claims herein and the following remarks.

In the apparatus according to claim 1, it is so that even where the container is mounted on the adjacent first and second shelves, the container mounted on one of the first shelves can be transported without moving the container mounted on one of the second shelves to another shelf. This feature or functionality is brought about by the claimed “displacing element” of claim 1.

Thus, the invention according to claim 1 is characterized by, and based on the feature and functionality that the second shelf line is provided between the first shelf line and the mounting

part, and that the container is transported in the horizontal direction, along the container transport path. See, for example, AR6 of Figs. 4 and 6. In this case, the container held by one of the first shelves in the first shelf line reaches the mounting part through the second shelf line.

However, when the container is mounted on both, namely, on one of the first shelves and also on one of the second shelves adjacent to the first shelves -- rather than only on the first shelves -- a problem arises. That is, the container mounted on one of the first shelves cannot be transported to the mounting part, unless a container mounted on one of the second shelves is moved to another shelf.

The invention according to claim 1 solves that problem by displacing at least one of the plurality of the first shelves holding the container to be transported, and one of the plurality of the second shelves in the second shelf line corresponding to one of the plurality of the first shelves holding a container to be transported, relative to the other in the vertical direction. As a result, a container transport path is provided without moving a container mounted on one of the second shelves to another shelf, even for the case where the container is mounted on one of the plurality of the second shelves.

Thereby, the invention according to claim 1 is particularly effective to reduce the time required for moving a container to another shelf, leading to an overall reduction in the time required for container transporting.

Respectfully, the amendment to claim 1, and the explanation of its structure as noted above, obviates the grounds of rejection of claim 1 and its dependent claims 2-5, in view, or over any one, of the Perlov, Mages and/or Yamada references, whether those references are considered singly or in any combination.

Similarly with respect to claim 6, it is noted that the device of this claim is such that even where a container is respectively mounted on the two shelves which are adjacent in the horizontal direction, in the two-dimensional array which includes a shelf-less part and arranged in a matrix, the container mounted on the further one of the shelves can be transported without moving to another self any container mounted on the nearer one of the shelves with respect to the mounting part. This feature is similarly realized by the displacing element which displaces the shelves in the vertical direction, thereby moving the shelf-less part, as recited in claim 6.

In other words, the container mounted on the further one of the shelves can be transported by moving the shelf-less part to the nearer one of the shelves with respect to the moving part. Therefore, as noted above, the invention according to claim 6 produces the same effect as claim 1 and, accordingly, cannot be asserted to be rendered obvious by Perlov and/or Mages.

Therefore, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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Respectfully submitted,



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